

## REMARKS

The applicants have carefully reviewed the official action and the references it cites. In the official action, claims 1-6 and 13-21 were rejected under 35 U.S.C. § 102(b) as anticipated by Bossemeyer et al. (WO 99/53654). By way of the foregoing amendments and the following remarks, the applicants respectfully traverse the rejections. The applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration is respectfully requested.

### **I. The Objections to the Specification**

#### **A. The Objection to the Priority Claim**

In the official action, the examiner requested that the applicants provide the status of each of the priority applications. The applicants respectfully submit that the status of the priority applications are not required. *See* 37 CFR § 1.78(a)(2)(i). Instead, the applicants are required to identify the prior application by application number. *Id.* A proper priority claim recites that "this application is a continuation of prior Application No. ---, filed ---." *MPEP* § 201.11 (III)(A). Accordingly, the applicants respectfully submit that the status of each priority application need not be provided in the priority claim and respectfully request withdrawal of the objection to the priority claim.

#### **B. The Objection to the Title**

In response to the examiner's request for a new title, the applicants have amended the title to be "Home Gateway Systems and Methods to Establish Communication Sessions," and respectfully request entry thereof. Accordingly, the applicants respectfully request withdrawal of the objection to the title.

## **II. The 102(b) Rejections**

In the previous response, the applicants submitted that Bossemeyer et al. (WO 99/53654) is disqualified as 102(b) prior art against the instant application because the instant application claims priority to U.S. serial no. 09/040,205, filed on March 13, 1998. In response to the applicants' response, the examiner has requested specific evidence of how each claim in the instant application is supported by U.S. serial no. 09/040,205. As a courtesy, the applicants submit the requested evidence below. Although reference numerals and specification citations are provided below, these reference numerals and specification citations are merely examples of where support may be found in the specification for the terms recited in the claims. There is no intention to suggest that the terms of the claims are limited to the examples in the specification. As demonstrated by the reference numerals and specification citations below, the claims are fully supported by the specification as required by law. Nevertheless, it is improper to read limitations from the specification into the claims. Pointing out specification support for the claim terminology, as is done here to provide the requested evidence, does not limit the scope of the claims to those examples from which they derive support. Nor does this exercise provide a mechanism for circumventing the law precluding reading limitations into the claims from the specification. In sum, the reference numerals and specification citations are not to be construed as claim limitations nor are they to be used in any way to limit the scope of the claims.

Independent claim 1 is directed to a method of operating a home gateway system and involves connecting a telephone to a data telephony interface of the home gateway system (*U.S. serial no. 09/040,205*, block 202), dialing a destination telephone number (*Id.*, block 204), triggering on a call request at a switch of the home gateway system and sending a query to a processor of the home gateway system (*Id.*, block 206), receiving a reply from the

processor including a telephone number of an internet service provider (*Id.*, block 208), establishing a telephony connection with the internet service provider (*Id.*, block 210), and sending a message to the internet service provider including the destination telephone number (*Id.*, block 212).

Claim 2 is dependent on claim 1 and further involves receiving an audio signal from the telephone (*Id.*, block 248), digitizing the audio signal to form a digitized signal (*Id.*, block 248), packetizing the digitized signal to form a plurality of outgoing packets (*Id.*, block 250), and transmitting the plurality of outgoing packets to the internet service provider (*Id.*, block 250).

Claim 3 is dependent on claim 2 and further involves receiving a plurality of incoming packets from the internet service provider (*Id.*, block 252), converting the plurality of incoming packets into an incoming audio signal (*Id.*, block 254), and connecting the incoming audio signal to the telephone (*Id.*, block 256).

Claim 4 is dependent on claim 1 and recites that establishing the telephony connection with the internet service provider involves establishing a wireless local loop connection to a base station (*Id.*, 13:7-9) and connecting the base station to the internet service provider (*Id.*, 13:9-10).

Claim 5 is dependent on claim 2 and recites that digitizing the audio signal to form the digitized signal involves compressing the digitized signal (*Id.*, 15:4).

Claim 6 is dependent on claim 2 and recites that transmitting the plurality of outgoing packets to the internet service provider involves determining a priority of the plurality of outgoing data packets (*Id.*, 14:5-6) and when the priority is low, storing the plurality of outgoing data packets until all high priority data packets have been transmitted (*Id.*, 14:6-8).

Independent claim 13 is directed to a home gateway system that includes a transceiver (*Id.*, the transceiver 50), a switch (*Id.*, the switch 52) connected to the transceiver, a processor (*Id.*, the processor 54) connected to the switch, and a router (*Id.*, the router 56) connected to the switch, the router to receive a data packet from an internal port with an external address (*Id.*, 6:9-12), the router to send a request to the processor to establish a communication session with an internet service provider (*Id.*), and the processor to direct the transceiver to establish a telephony connection with the internet service provider (*Id.*).

Claim 14 is dependent on claim 13 and recites that the transceiver is to establish a wireless local loop connection to a base station as part of the telephony connection (*Id.*, 6:16-18).

Claim 15 is dependent on claim 13 and recites that the processor is to direct the transceiver to setup an asymmetric data channel (*Id.*, 13:21-26).

Claim 16 is dependent on claim 13 and recites that the home gateway system further includes a television processing system (*Id.*, the television processing system 70) connected to the router.

Claim 17 is dependent on claim 16 and recites that the television processing system is to receive information from an internet information provider, and to send the information via a selected channel of a television (*Id.*, 6:26-7:2).

Claim 18 is dependent on claim 17 and recites that the television processing system is to receive an email request, direct the processor to download an email to the television processing system, and to send the email via the selected channel of the television (*Id.*, 7:7-14).

Claim 19 is dependent on claim 13 and recites that the home gateway system further includes an emergency broadcast network receiver connected to the television processing system (*Id.*, 7:2-6).

Claim 20 is dependent on claim 13 and recites that the home gateway system further includes a voice mail system (*Id.*, the voice processing system 84 and the voicemail memory 106).

Independent claim 21 is directed to a home gateway system that includes a transceiver (*Id.*, the transceiver 50) including a vocoder (*Id.*, the vocoder 122) and a multiplexer (*Id.*, the multiplexer 124), a switch (*Id.*, the switch 52) connected to the transceiver having a telephony input (*Id.*, 5:12-14 and 6:20-23) and a data telephony input (*Id.*, 7:15-16), a processor (*Id.*, the processor 54) connected to the switch, a router (*Id.*, the router 56) connected to the switch and capable of routing data between a plurality of ports, a television processing system (*Id.*, the television processing system 70) connected to the router, the television processing system capable of receiving information from the router and sending the information over a predetermined channel to a television for display (*Id.*, 6:26-7:2), and an emergency broadcast system receiver (*Id.*, the emergency broadcast system receiver 74) connected to the television processing system (*Id.*, 7:2-4); wherein the switch is to receive a destination address via the data telephony input and to send a query to the processor (*Id.*, 7:16-24 and block 206), wherein the processor is to return a response including an internet phone provider number (*Id.*, 7:25-26 and block 208), wherein the switch is to pass the internet phone provider number to the transceiver (*Id.*, 7:26-8:2), and wherein the transceiver is to establish a telephony connection with an internet phone provider (*Id.*, 8:2-3 and block 210) including a wireless local loop connection to a base station (*Id.*, 13:7-9).

In view of the foregoing, the applicants respectfully submit that pending claims 1-6 and 13-21 are supported by the written description of U.S. serial no. 09/040,205. Accordingly, the applicants respectfully submit that the pending claims are entitled to the March 13, 1998, filing date of U.S. serial no. 09/040,205. Thus, Bossemeyer et al. (WO 99/53654) is disqualified as 102(b) prior art against the instant application and the applicants respectfully request withdrawal of the 102(b) rejections.

For at least the foregoing reasons, the applicants respectfully submit that all of the claims pending in the instant application are in condition for allowance. Reconsideration is respectfully requested. If there are any remaining issues in this application, the examiner is invited to contact the undersigned representative at the telephone number below.

Respectfully submitted,

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